

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FRED ALBERT BARTHOLOMEW,	:	
	:	
Petitioner,	:	
	:	
vs.	:	C.A. No. 05-0060 ERIE
	:	
JOSEPH DESUTA,	:	
	:	
Respondents.	:	

MOTION FOR EXTENSION OF TIME

Comes Now, Fred Albert Bartholomew, "Petitioner" herein, pro se, and hereby request this Court to grant him an extension of time in which to file a reply, response, traverse, or other responsive pleading to District Attorney's, "Respondents" herein, Answer to Petition For Writ Of Habeas Corpus, and states the following in support:

1. Presently before this Court, Petitioner has filed a Petition for Writ of Habeas Court which claims that the changes to Pennsylvania's parole laws and policies violate the Ex Post Facto Clause of Pennsylvania and United States Constitution and violate Petitioner's rights.

2. Petitioner is a pro se litigant without the assistance of counsel.

3. Petitioner is a prisoner who has limited knowledge of law, and has no formal education in the law nor in research techniques.

4. Petitioner is a prisoner who has limited access to the prison law library wherein he is confined and limited access to the research materials contained therein.

5. Petitioner is a prisoner who must rely upon other prisoners who work in the prison law library to supply him with the research materials he needs to prepare a responsive pleading, even if those prisoners may not know what research materials Petitioner is in need of.

6. Therefore, Petitioner will need additional time in which to research and prepare a reply, response, traverse, or other responsive pleading to District Attorney's Answer to Petitioner's Petition for Writ of Habeas Corpus.

7. This motion for extension of time is not intended to delay these proceedings currently before this Court.

8. Petitioner will suffer prejudice and irreparable injury if this motion for extension of time is not granted.

9. Respondents will not suffer irreparable injury nor prejudice if this motion for extension of time is granted.

WHEREFORE, Petitioner request this Court to grant him an extension of thirty (30) days in which to file his reply, response, traverse, or other responsive pleading to District Attorney's Answer to Petition for Writ of Habeas Corpus.

Respectfully submitted,

*Fred Albert Bartholomew*  
Fred Albert Bartholomew  
Petitioner, Pro Se

BT2417  
SRCF Mercer  
801 Butler Pike  
Mercer, PA 16137

Dated: September 7, 2005.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Motion for Extension of Time was served upon the following via first class mail.

Paula C. Digiacomo, Esquire  
First Assistant District Attorney  
Office of District Attorney  
Crawford County Courthouse  
903 Diamond Park  
Meadville, PA 16335

Fred Albert Bartholomew  
Fred Albert Bartholomew  
BT2417  
SRCF Mercer  
801 Butler Pike  
Mercer, PA 16137

Dated: September 7, 2005.

Fred Albert Bartholomew  
BT2417  
SRCF Mercer  
801 Butler Pike  
Mercer, PA 16137

September 7, 2005

United States District Court  
Robert V. Barth, Jr., Clerk  
Office of the Clerk  
Western District of Pennsylvania  
17 South Park Row  
Erie, PA 16501

RE: Fred Albert Bartholomew v. Joseph Desuta, et al.,  
C.A. No. 005-0060 (Enclosure(s))

Dear Sir or Madam:

Please find enclosed, for filing and consideration by the Court, the original plus two (2) copies of a Motion for Extension of Time, a true and correct copy of which was served upon the person or parties indicated below.

Sincerely,

  
Fred Albert Bartholomew  
Petitioner, Pro Se

c: Paula C. Digiacomo, Counsel for Respondents  
Fred Albert Bartholomew, Petitioner